



1712

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

+

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/904,666	
	Filing Date	July 12, 2001	
	First Named Inventor	Bezek et al.	
	Group Art Unit	1772	
	Examiner Name	Nordmeyer, Patricia L.	
Total Number of Pages in This Submission		Attorney Docket Number	CFLAY.00046

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div>Postcard Receipt TC 1700 MAIL ROOM</div>
Remarks Response to Office Action dated August 16, 2002		

COPY OF PAPERS
ORIGINALLY FILED

RECEIVED
SEP - 5 2002

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Stephen R. Loe
Signature	
Date	August 26, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: August 26, 2002			
Typed or printed name	Cheryl L. Hewitt		
Signature		Date	August 26, 2002

⊕ Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SEP 03 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Edward Anthony Bezek and
John Joseph Michels

GROUP ART UNIT: 1772

FILED: July 12, 2001

INVENTION: Plastic Container Barrier
Structure for Dry Food Products

EXAMINER: Nordmeyer, Patricia L.

SERIAL NO.: 09/904,666

ATTY FILE: CFLAY.00046

RESPONSE TO OFFICE ACTION
DATED AUGUST 16, 2002

This correspondence is sent in response to an Office Communication mailed on August 16, 2002.

IN THE CLAIMS:

Please cancel claim 4 without prejudice. Please amend the claims as indicated. A redacted version of the amended claims is provided in the appendix showing with brackets and underlines the changes made to the claims. A clean version of the entire set of pending claims is as follows:

COPY OF PAPERS
ORIGINALLY FILED

1. (Once Amended) A method for making a plastic dry food container, said method comprising the steps of:
 - a) forming a thin sheet of ethylene vinyl alcohol film as an interior surface of the container;
 - b) placing a dry food product within said container, wherein the dry food product acts as a desiccant to draw moisture away from the ethylene vinyl alcohol film; and
 - c) sealing said container.
2. (Once Amended) The method of claim 1 wherein the ethylene vinyl alcohol layer is less than 0.5 mils thick.

ITC 1708 MAIL ROOM

SEP - 5 2002

RECEIVED